



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley Conference Center
6421 Evers Road, Leon Valley, Texas 78238
Tuesday, June 16, 2015

MINUTES

The City Council of the City of Leon Valley, Texas met on the 16th day of June, 2015 at the Leon Valley Conference Center located at 6421 Evers Road, Leon Valley, Texas for the purpose of the following business:

REGULAR CITY COUNCIL MEETING

Mayor Riley called the Regular City Council Meeting to order at 8:25 p.m. and led the Pledge of Allegiance.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members Carmen Sanchez, Monica Alcocer, Benny Martinez, David Jordan and David Edwards.

Also in attendance were:

Interim City Manager Hank Brummett, City Attorney Charles Zech, ACM/Human Resources Director Crystal Caldera, City Secretary Sandra Passailaigue, Fire Chief Luis Valdez, Assistant Public Works Director David Dimaline, and Economic Development Director Claudia Mora.

Citizens to Be Heard and Time for Objections to the Consent Agenda.

Mayor Riley asked if any of the Council Members wished to pull Items 3, 4, 5, 6, 7 or 8 from the Consent Agenda for discussion. Council Member Benny Martinez requested that Item 4 be pulled and move to be discussed after Item 11. Council Member Monica Alcocer requested that Item 5 be pulled. Mayor Riley moved onto citizens to be heard.

- Henry Diecker, 6114 Britania Court, spoke in opposition to regulating the use of drones.
- Josue Delatorre, 6114 Britania Court, spoke in opposition to regulating the use of drones.
- Robert Jarzombeck, 7210 Grass Valley, spoke in opposition to regulating the use of drones.

There being no further citizens to be heard Mayor Riley moved onto the Consent Agenda.

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

- a) May 21, 2015 Special City Council Meeting
- b) May 22, 2015 Special City Council Meeting

Consideration and action of Ordinance No. 15-007 authorizing a budget adjustment to the general, water, and stormwater funds, in order for the City to have adequate funds to cover the cost of the Severance Agreement with Manuel Longoria Jr. enacted on May 21, 2015. M&C #2015-06-16-05 (ACM C. Caldera)

Consider approval for a waiver of related fees for the use of the Leon Valley Conference Center for Representative Justin Rodriguez to hold a Town Hall Meeting on June 25, 2015. M&C 2015-06-16-06 (S. Passailaigue)

A motion was made by Council Member Monica Alcocer seconded by Council Member Benny Martinez, to approve Consent Agenda Items #3 (May 21st and May 22nd City Council Minutes), #6 (Ordinance No. 15-007), and #7 (Conference Center Waiver) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consideration of an ordinance granting Grey Forest Utilities a non-exclusive natural gas franchise relating to the distribution and sale of gas in the City of Leon Valley. M&C #2015-06-16-04 (M. Moritz)

Assistant Public Works Director David Dimaline presented this item saying that Grey Forest Utilities has had a Natural Gas Franchise Agreement with the City of Leon Valley for the past 20 years. When the new City Secretary took her position with the City of Leon Valley this past year, she discovered that the original agreement had expired back in 2012. The proposed ordinance would once again grant Grey Forest Utilities the right to distribute and sell natural gas within the City of Leon Valley city limits for the next 20 years. This agreement has been reviewed and is acceptable to the Grey Forest Utilities company. The area serviced by their company includes portions of the Linkwood Addition and Pavona Place neighborhoods.

This presentation was followed by a discussion.

A motion was made by Council Member Monica Alcocer seconded by Council Member Benny Martinez, to adopt the ordinance as with the amendment to Section 2:2.2 changing the term of the agreement from twenty (20) years to ten (10) years. Upon a unanimous vote, Mayor Riley announced the motion carried.

City Manager's Report:

- a) **Update on the Police Department's scheduled move into the new facility**
- b) **Leon Valley Dispatch moving from Metro 9-1-1 to Helotes Dispatch**
- c) **Leon Valley Water Well Funding**
- d) **Department Reports**
- e) **Approved Minutes from Boards, Commissions and Committees**
- f) **Future Agenda Items:**
 - o **Funding Request by the Tree Advisory Committee for repurposing the wood from LC17 Project**

Interim City Manager Hank Brummett said that the only other item he wanted to mention was that TML will be holding their Newly Elected Officials Orientation training in San Antonio in July and that any Council Member that plans to attend should notify the City Secretary as soon as possible so they may be registered.

REGULAR AGENDA

Consideration and action on a variance request by Seth Thomas, owner of Diamond Shine Carwash, to Chapter 3.04.013, "Temporary Signs, to display two (2) temporary banners for six (6) months generally located at 7210 Bandera Road. M&C #2015-06-16-07 (E. Carol)

Community Development Director Elizabeth Carol presented this item in order for the City Council to consider a variance which would allow Diamond Shine Carwash to utilize two (2) vinyl banners for six (6) consecutive months at 7210 Bandera Road. Ms. Carol explained that on November 10, 2014, the Leon Valley City Council approved a variance allowing the applicant to install a temporary sign for six (6) months which expired May 10, 2015. The owner has applied for a second variance indicating that with the construction of the adjacent storage facility in the near future; the banners will help promote the carwash and support membership sales. The City of Leon Valley Code of Ordinance allows one (1) banner for a period of thirty (30) days, once every six (6) months. This is a limit of two (2) banners total per year. The Sign Code allows consideration of variances for seasonal signs up to 120 days/4months. Ms. Carol concluded her presentation stating that the variance approval is at the discretion of the City Council. However, Ms. Carol provided Council two (2) alternatives: 1) approve the sign variance as requested for six (6) months, or 2) be consistent with the sign code allowance for variances in regard to seasonal signs and allow the banners for only 120 days or four (4) months.

The presentation was followed by discussion.

A motion was made by Council Member Benny Martinez seconded by Council Member David Jordan, to grant the variance as requested. The City Council voted four (4) for and one (1) against with Council Member Monica Alcocer casting the negative vote. Mayor Riley announced the motion carried.

Consideration and action of Ordinance No. 15-008 regulating the flying of drones in residentially zoned areas of the City. M&C #2015-06-16-08 (City Attorney C. Rodriguez)

City Attorney Charles Zech presented the proposed ordinance which would prohibit the flying of drones in any airspace below 400 feet within or over any residentially zoned area in the City, unless otherwise exempt under the ordinance. For instance, the proposed ordinance would exempt the use of drones in residential areas by any law enforcement agency of the City, State or Federal government for lawful purposes and in a lawful manner. In addition, drones will be permitted to make visual recordings of a single residence, with the owner's written consent, provided the owner and/or operator of the subject drone obtains a validly issued drone permit from the City. This is intended to accommodate the practice of some realtors who use drones to advertise properties for sale or lease. However, Government Code 423 makes misuse of drones a Class C Misdemeanor and the City could use this statute to regulate the use of drones within the City limits.

This presentation was followed by discussion.

- Tina Chasan, 6006 Forest Ridge, spoke in opposition of the proposed ordinance.
- Robert Jarzombeck, 7210 Grass Valley, spoke in opposition of the proposed ordinance.
- Olen Yarnell, 7230 Sulky Lane, spoke in opposition of the proposed ordinance.

There was a consensus among the members of City Council to take no further action on this item.

Discussion and action to repeal Ordinance No. 2014-01-13-02, policy for the appointment of city boards and commissions. M&C #2015-06-16-09 (Council Members Benny Martinez and Carmen Sanchez)

A motion was made by Council Member Benny Martinez and seconded by Council Member Carmen Sanchez to repeal Ordinance No. 2014-01-13-02. Upon a unanimous vote Mayor Riley announced the motion carried.

Consideration of Resolution No. 15-017R appointing members to boards, commissions, and committees in accordance with Ordinance No. 2014-01-13-02. M&C 2015-06-16-03 (S. Passailaigue)

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to approve Resolution No. 15-017R appointing Phyllis McMillan, Olen Yarnell, Pedro Esquivel, and Alex Jenicek to the Leon Valley Zoning Commission. Upon a unanimous vote Mayor Riley announced the motion carried.

There was a consensus among the members of City Council to look over the applications submitted for the other boards to include possible Council members serving on the Leon Valley Economic Development Corporation Board. This will be discussed at a future meeting.

Discussion and action authorizing the City Manager to negotiate an interlocal agreement between the City of Leon Valley and Bexar County for the flood improvement project in the Huebner Creek Enhanced Conveyance NWWC Segment 3(LC-17). M&C #2015-06-16-10 (E. Carole)

Community Development Director Elizabeth Carol presented this item to request City Council to authorize the Interim City Manager to execute an Interlocal Agreement (ILA) between the City of Leon Valley and Bexar County for the Flood Control Project known as the Huebner Creek Enhanced Conveyance NWWC Segment 3(LC-17). Ms. Carol said that this project is part of the Bexar County Flood Control Program and this project consists of widening and realigning the channel in order to reduce the floodplain limits in surrounding residential areas. The Tree Advisory Board has worked with Bexar County Public Works to identify 18 trees that can be repurposed. In addition, the route will need to be redesigned to preserve a significant Heritage Red Oak Tree (Tag #7143) that is 39 inches in diameter. The \$11,000,000 project will be managed by the Bexar County's Flood Control Capital Project and is projected to be completed by April 2017. Once complete, the improvements will be turned over to the City of Leon Valley.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez to approve Resolution No. 15-018R with the removal of Article XI – 11.01. Upon a unanimous vote Mayor Riley announced the motion carried.

DISCUSSION AGENDA

Upcoming Important Events:

- a) 4th of July Spectacular at Raymond Rimkus Park
- b) City Office Closed, Monday, July 6th in observance of Independence Day.

- c) LC17 Presentation by Bobby Mengden, PE, CFM
- d) Coffee with the Mayor and City Council, July 25, 2015 from 9:00 a.m. – 11:00 a.m. at the Leon Valley Conference Center. Topic: CPS Energy Discussion of a Community Solar Program.

Mayor Riley asked that everyone please note the upcoming events.

Citizens to be Heard.

- Olen Yarnell, 7230 Sulky Lane, questioned Item 8b wanting to know why dispatch moved from Bexar Metro 911 to Helotes.

Announcements by the Mayor and Council Members.

Council Member Carmen Sanchez wished all the fathers a Happy Father's Day.

Council Member Monica Alcocer thanked everyone for attending the meeting.

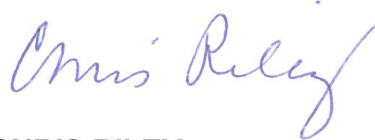
Council Member Benny Martinez reminded everyone of the Leon Valley Area Chamber of Commerce luncheon tomorrow at Henry's Puffy Taco at 11:30 a.m. and about next Thursdays LVEDC mixer.

Adjournment

Mayor Riley announced the meeting adjourned at 9:58 p.m.

These minutes approved by the Leon Valley City Council on the 7th of July, 2015.

APPROVED



CHRIS RILEY
MAYOR

ATTEST:



SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

